

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

WORDLOGIC CORPORATION and  
602531 BRITISH COLUMBIA LTD.

Plaintiffs,

vs.

FLEKSY, INC.

Defendant.

**Case No.: 16-cv-11714**

**Judge Joan H. Lefkow**

**JURY TRIAL DEMANDED**

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**Defendant's Answer and Affirmative Defenses**

Defendant Fleksy, Inc. answers Plaintiffs' complaint for patent infringement as follows:

1. Admitted.
2. Denied for lack of information and belief.
3. Denied for lack of information and belief.
4. Defendant admits that it is a Delaware corporation with a principal place of business in San Francisco. Denied as to the balance of the allegation for lack of information and belief.
5. Denied. Venue is improper under *TC Heartland, LLC v. Kraft Foods Group Brands, LLC*, 137 S.Ct. 1514 (2017). Defendant filed a motion to reconsider the Court's denial of a previously filed motion to dismiss this case (dkts. 31, 22) before the filing of this responsive pleading. That motion is pending.
6. Denied for lack of information and belief.
7. Denied for lack of information and belief.
8. Denied for lack of information and belief.
9. Denied for lack of information and belief.

10. Denied for lack of information and belief.
11. Denied for lack of information and belief.
12. Admitted that Fleksy makes and distributes a predictive keyboard application. Denied as to the balance of this allegation for lack of information and belief.
13. Defendant incorporates preceding responses herein.
14. Denied.
15. Admitted.
16. Admitted.
17. Admitted.
18. Admitted.
19. Denied.
20. Denied.
21. Denied.
22. Denied.
23. Defendant incorporates preceding responses herein.
24. Denied.
25. Denied.
26. Denied.
27. Denied.
28. Denied.

**Affirmative Defenses**

29. All asserted claims are invalid under 35 U.S.C. § 101.

30. While Defendant has not conducted an exhaustive prior art search, the nature of the technology, priority date, and a preliminary prior art furnish the Defendant with a good faith basis to believe that the claims-in-suit are not novel as required by 35 U.S.C. § 102.
31. While Defendant has not conducted an exhaustive prior art search, the nature of the technology, the priority date, and a preliminary prior art search furnish the Defendant with a good faith basis to believe that the patents are not non-obvious as required by 35 U.S.C. § 103.
32. The patents-in-suit are invalid under 35 U.S.C. § 112.

**Requested Relief**

Fleksy, Inc. demands a jury trial in this matter and requests the following relief:

- a. A judgment that Plaintiff recover nothing by their Complaint;
- b. A judgment that the Complaint be dismissed with prejudice and that each request for relief therein be denied;
- c. A judgment that Defendant has not willfully, recklessly, or otherwise infringed the asserted patents and is not infringing the asserted patents;
- d. A judgment that the asserted patents and all claims therein are invalid;
- e. A judgment declaring this case exceptional under 35 U.S.C. § 285, and an award of costs, expenses, and attorney's fees; and
- f. Such other and further relief as the Court deems proper.

Date: **November 20, 2017**

Respectfully submitted,

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**ATTORNEY FOR DEFENDANT**